

Judge Sylvia H. Rambo

8-10-2020

FILED  
SCRANTON

FEB 25 2020

Civ. No. 3: CV-11-1609

PER RF  
DEPUTY CLERK

I REQUEST A EXTENSION OF TIME  
 TO Submit THE motion for Discovery  
 Abuse and Impeding THE Discovery  
 PROCESS. Pursuant to Fed. R. CIV.  
 P. 6(b)(1)(B). I request A EXTEN-  
 SION to present the attached  
 motions. we are on locked down  
 and I just discovered THAT  
 defendants did not provide the  
 full set of 15 minute checks  
 between June 22, 2020 through  
 June 24, 2020.

I previously wrote this Court  
informing it of this situation.

## Argument

Fed R. Civ. P. 6(b) requires motions,  
untimely under Fed. R. ~~6(b)~~ CIV.  
P., to be filed in accordance  
with the requirements of Rule  
6(b)(1)(B). Thus a party must make  
a formal motion for extension of  
time and the District Court must  
make a finding of excusable neglect,  
under the PIONEER factors, before  
permitting an untimely motion.  
Under PIONEER the excusable  
neglect inquiry must consider  
all relevant circumstances sur-

Roundly the party's omission. These include the danger of prejudice, the length of delay and its potential impact on judicial proceedings, the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith.

See *Drippe v. Tobelinski*, 604 F.3d. 778, 785 (3d Cir. 2010); *Kimberg v. University of Scranton*, 411 Fed. Appx. 473, 477-78 (3d Cir. 2010) (same).

Name: Hill, David

Reg. No.: 17585-007

U.S. Penitentiary Max.

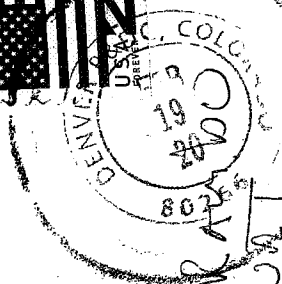
P.O. Box 8500

Florence, CO 81226-8500

RECEIVED  
SCRANTON

FEB 25 2020

Legal MAIL



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